

# **ALABAMA BOARD OF NURSING**

## **REGULAR BOARD MEETING**

Fiscal Year 2012-2013

Suite 350, RSA Plaza

770 Washington Ave

Montgomery, Alabama

September 19-20, 2013

### **I. CALL TO ORDER**

#### **A. Roll Call**

The meeting was called to order at 9:00 a.m. on September 19, 2013. The following Board members were present: Martha G. Lavender, RN, DSN, President; Carol Stewart, CRNP, MSN, Vice-President; Eugene Akers, PhD; Pamela Autrey, PhD., MSN, RN; Catherine Dearman, RN, PhD; Miriam Ellerbe, LPN; Maggie Lee Hopkins, LPN; Gregory Howard, LPN; Lynda F. LaRue, RN, ADN, CMTE; Francine Parker, EdD, MSN, RN; Amy Price, MSN, RN; and E. Laura Wright, MNA, CRNA, PhD. Leslie Vinson, Executive Secretary/Recorder was present. Staff members attending portions of the meeting were: Genell Lee, MSN, RN, JD, Executive Officer; Peggy Benson, MSN, RN, Deputy Director; Charlene Cotton, MSN, RN, Advanced Practice Nurse Consultant; Mary Ed Davis, MSN, RN, Voluntary Disciplinary Alternative Program; Honor Ingels, Governmental Relations Manager; Joyce Jeter, MSN, RN, Practice/Continuing Education Nurse Consultant; Cathy Russell, MSN, RN, PhD, Nursing Education Consultant; Teresa Williamson, Docket Clerk; Robert Rollins, IT Systems Specialist Associate; Dawn Daniel, MSN, RN, Probation Nurse Consultant; Cathy Boden, MSN, RN, Legal Nurse Consultant; LaDonna Patton, MSN, RN, Legal Nurse Consultant; Patrick Samuelson, Assistant General Counsel; and Alice Maples Henley, General Counsel.

#### **B. Declaration of Quorum**

A quorum was declared with twelve Board members present on September 19, and nine members present on September 20. Melissa Bullard, LPN, Secretary, was not present for the meeting. Martha G. Lavender, RN, DSN; E. Laura Wright, MNA, CRNA, PhD; and Miriam Ellerbe, LPN, were not present on September 20.

C. Statement of Compliance with Open Meetings Act

Prior notice of this meeting was posted on the Secretary of State's web site in accordance with the Alabama Open Meetings Act.

D. Review of Agenda

1. Additions, Modifications, Reordering

III.A. Board Action Follow-up was removed from the Consent Agenda and placed on the Agenda for discussion.

VI.A.1. Executive Officer Report was removed from the Consent Agenda and placed on the Agenda for discussion.

XV.C. Nurse Delegation Program for Mental Health was added to the Agenda.

2. Adoption of Consent Agenda

The following items were accepted on the Consent Agenda:

- II.A. July 18-19, 2013 Board Meeting Minutes
- II.B. August 22, 2013 Board Meeting Minutes
- VI.A.2. FYI
- VI.D.1. General Counsel/Deputy Attorney General
- VI.D.2. Assistant General Counsel Report
- VI.D.3. Voluntary Disciplinary Alternative Program
- VI.D.4. Investigations Report
- VI.D.5. Legal Nurse Consultant Report
- VI.D.6. Probation Monitoring Report
- IX.A.1. Practice Report
- IX.B.1. Continuing Education Report
- X.A. Education Report

**On September 19, Ms. Price moved that the Board adopt the Consent Agenda, as amended. Dr. Wright seconded. Motion carried without objection.**

3. Adoption of Agenda

**On September 19, Ms. Price moved that the Board adopt the Agenda, as amended. Dr. Dearman seconded. Motion carried without objection.**

## II. REVIEW OF MINUTES

### A. July 18-19, 2013 Board Meeting Minutes

The July 18-19, 2013 Board Meeting Minutes were accepted on the Consent Agenda.

### B. August 22, 2013 Board Meeting Minutes

The August 22, 2013 Board Meeting Minutes were accepted on the Consent Agenda.

## III. OLD BUSINESS/FOLLOW-UP

### A. Board Action Follow Up

Dr. Lavender requested that the following be added to the Board Action Follow-up table under August 2013: "and mailed to Larry Dixon and Dr. Smith".

## IV. NATIONAL COUNCIL OF STATE BOARDS OF NURSING, INC.

## V. NATIONAL COUNCIL LICENSURE EXAMINATIONS

### A. FY 2013 3<sup>rd</sup> Quarter NCLEX-PN® Results

The 3<sup>rd</sup> Quarter NCLEX-PN® Results for FY 2013 were accepted on the Consent Agenda.

### B. FY 2013 3<sup>rd</sup> Quarter NCLEX-RN® Results

The 3<sup>rd</sup> Quarter NCLEX-RN® Results for FY 2013 were accepted on the Consent Agenda.

## VI. REPORTS

### A. Executive Officer

#### 1. Report

Ms. Lee provided a written report to the Board outlining her activities.

Dr. Lavender reported that she pulled the Executive Officer report from the Consent Agenda because she thought the list of voluntary surrenders was duplicated but it was not.

Pursuant to Alabama Board of Nursing Administrative Code, Rule 610-X-8-.05, Ms. Lee accepted the voluntary surrender for revocation for each of the following Alabama nursing licenses:

<b><u>Licensee's Name</u></b>	<b><u>License Number</u></b>	<b><u>Date of Acceptance</u></b>
Payton, Tommie Gail	1-122510	07/05/2013
Diltz-Haynes, Jennifer Rena	2-060799	07/08/2013
Fowler, Melissa Leann	1-122649; 2-057200	07/11/2013
Johnson, Jonathan Marlowe	1-116601	07/15/2013
Lesniak, Carol Jo	1-048628	07/17/2013
Stephens, Shannon M.	1-088521	07/17/2013
James, Phillip Steve	1-030149; CRNA	07/24/2013
Davis, David Vance	2-055962	07/25/2013
Hood, Mark Edward	2-045370	07/29/2013
McCarley, Rietta Renee	2-025295	07/29/2013
Osburn, Sonia Lea	1-124740	07/30/2013
McLaughlin, Heather Jean	1-080261	07/31/2013
Powell, Shedric Hosa	2-030227	07/31/2013
Baker-Alvis, Nancy Lee	1-133746	08/07/2013
Ridings, Lorrie Coleen	2-030211	08/07/2013
Abner, Tara Michelle	2-058492	08/08/2013
Cook, Sandra Anna	1-030933	08/09/2013
Blacks, Kenyatta Delynn	2-050493	08/09/2013
Warren, Amanda Elaine	2-059120	08/16/2013
Smith, Trevor Justin	1-132061	08/21/2013
Reddick, Michelle	1-081745	08/22/2013
Mangum, Lisa Joann	2-036993	08/22/2013

Morris, Shanquie Shraell	2-064168	08/26/2013
Williford, Margaret Argo	2-051033	08/26/2013
Owens, Vanginetta	2-039221	08/29/2013

2. FYI

Ms. Lee provided the following items for the Board's information: (1) a copy of a letter from Accreditation Commission for Education in Nursing, Inc. (ACEN) to Bishop State Community College; (2) a copy of a letter from Central Alabama Community College notifying the Board that Melenie Bolton, RN, PhD, was appointed as the Associate Dean of Health Sciences; (3) a copy of a memorandum from State of Alabama Personnel Department regarding the law related to firearms; and (4) a copy of a letter from the University of Mobile notifying the Board of their intent to close the Associate Degree in Nursing Program.

3. Board Member Compensation

Dr. Lavender reported that the Board determines board member compensation each September for the subsequent fiscal year. The current Board member compensation is \$161.00 per day. Board compensation has been at this rate for five years.

**On September 19, Dr. Parker moved that the Board increase Board compensation to \$175.00 per day. Dr. Autrey seconded. Motion carried without objection.**

**On September 19, Dr. Wright moved that the Board add an additional \$175.00 per month for the President. Dr. Parker seconded. Motion carried without objection.**

Ms. Lee reported that the new Board member compensation will start October 1, 2013.

B. Executive Committee

1. Executive Officer Evaluation

Dr. Lavender reported that she discussed the evaluation process with Ms. Henley and Mr. Samuelson. She collated the scores, averaged the score and placed all comments on

the evaluation form. Twelve Board members participated in the evaluation.

Dr. Lavender reviewed each criteria, gave the average score for each criteria and read the comments.

The Executive Officer received an overall composite score of 2.43 out of 3.

Dr. Lavender pointed out that the process that was provided for the Board is for the 2014 evaluation.

Mr. Howard reported that he is concerned that the Board is not in tune with where some of the responsibility lies.

## 2. Executive Officer Salary

Dr. Lavender reported that the current annual salary for the Executive Officer position is \$141,499.92 (Current Semi-monthly pay = \$ 5,895.83). The salary must be approved by the Governor's office (finance director) and then the State Personnel Board. The last merit salary increase of 5% approved by State Personnel Board was December 14, 2005. The last cost-of-living (COLA) of 6% was September, 2006. Thus, the Executive Officer has had no increase in seven years and no merit increase in eight years

Governor Bentley recently released a letter stating that merit increases could begin again as of January 1, 2014.

**On September 19, Dr. Dearman moved that the Board pursue an increase for the Executive Officer salary. Ms. LaRue seconded.**

After discussion, Dr. Dearman amended her motion.

**On September 19, Dr. Dearman moved that the Board pursue a 5% merit increase for the Executive Officer. Ms. LaRue seconded. Motion carried without objection.**

Mr. Howard asked if the Board could pursue a one-time bonus for past employment for the EO.

**On September 19, Mr. Howard moved that the Executive Committee explore a one-time bonus for the Executive Officer and bring back to the October Board meeting**

**with a recommendation to the full Board. Ms. Hopkins seconded. Motion carried without objection.**

3. ALHAC Summit

Dr. Lavender reported on the ALHAC Summit.

4. Nurse Practitioner Alliance of Alabama

Dr. Lavender reported that she received an email from Joy Deupree, Nurse Practitioner Alliance of Alabama, requesting that a FAQ sheet related to controlled substance prescribing be placed on the Board's web site. Dr. Lavender informed Ms. Deupree that ABN would participate but could not take the lead because it is not ABNs process.

Ms. Stewart reported that the Board of Medical Examiners (BME) and the Medical Association of the State of Alabama (MASA) will prepare the FAQ sheet and ABN will then place on the web site.

C. Financial Reports

1. Reports

Ms. Broomfield, Chief Fiscal Officer, provided a report of Revenues Expenditures Summary, Revenues, and Expenditure Budget Comparison as of July 31, 2013.

The Board reviewed and discussed the reports presented with Ms. Broomfield.

2. Selection of Scholarship Recipients

Ms. Broomfield reported that Legislation was passed during the 2013 legislative session appropriating \$166,027 of Education Trust Funds to the Board of Nursing to administer scholarships for nurses. During FY 2014, ABN will administer one scholarship program according to Act No. 2012-262, which provides for graduate degree scholarships for nurses.

At the July board meeting, the Board approved the following guidelines for the scholarship funds: 1) Qualifications: (a) must have been a resident of Alabama for a period of at least one year immediately preceding application with two proofs of residency; (b) must have an active unencumbered

Alabama registered nurse license; (c) must have been admitted to an accredited program seeking an advanced degree with those looking to become nursing instructors receiving priority over others; (d) must hold a degree in nursing from an accredited school of nursing; an official transcript or certification from the registrar stating requirements were met is required; (e) must agree to teach nursing full-time in an Alabama college or university or work as a professional nurse for at least two years immediately after graduation; (f) must be a person of good character; and (g) must submit a completed application with all required documentation on or before July 31, 2013.

The Board also approved the following scholarship conditions: (a) must attend school for at least six (6) hours for two consecutive semesters and funds must be disbursed prior to October 1, 2014; (b) must sign a promissory note and an agreement to fulfill obligations; and (c) must keep the Board informed of the status of the above conditions and must immediately inform the Board of the failure to comply with the conditions.

Of the ninety-one applications received, twelve were ineligible – four had documents received after the deadline, three provided no transcripts, one provided no admission to graduate study form, two did not provide eligible proofs of residency, and one had no application or transcript and an ineligible proof of residency. One was not eligible because she was attending a certificate, not a degree, program.

The committee members consisting of the Executive Officer, the Deputy Director, the Governmental Relations Manager, one Nurse Consultants from the Legal Division, one Nurse Consultant for CE/Practice, one Attorney from the Legal Division, one ASA II and one Docket Clerk were supplied with application summaries for each eligible applicant, qualifications and criteria for selection, and a tally sheet to list their top choices. Applicant codes were used so the names of the individuals were not known to the committee members. The committee members returned the tally sheet to the Chief Fiscal Officer for tabulation.

The applicants were reviewed to ensure the guidelines listed above were followed. They were given a score by each committee member and then the scores were averaged and put in order by the score.



Ms. Broomfield provided a list of applicants and their average scores (out of 5 possible) as selected by the committee and a map for the geographic distribution.

Ms. Broomfield reported that forty scholarships would come to \$4,150.68 per recipient; thirty-five scholarships would come to \$4,743.63 per recipient; thirty scholarships would come to \$5,534.23 per recipient; twenty-five scholarships would come to \$6,641.08 per recipient; and twenty scholarships would come to \$8,301.35 per recipient.

The Board reviewed and discussed the list of applicants.

**On September 19, Dr. Dearman moved that the Board award forty scholarships at \$4,150.68 each. Dr. Wright seconded. Motion carried without objection.**

D. Legal Division

1. General Counsel/Deputy Attorney General

A written report of the activities of the Legal Division from June 28, 2013 through August 29, 2013, the number of open disciplinary cases, and the number of cases on appeal or subject to litigation was accepted, as information, on the Consent Agenda.

2. Assistant General Counsel

A written report on the number of pending cases on the docket of the Assistant General Counsel as of August 29, 2013 was accepted, as information, on the Consent Agenda.

3. Voluntary Disciplinary Alternative Program

A written report on VDAP participants and terminations as of August 31, 2013 was accepted, as information, on the Consent Agenda.

4. Investigations Report

A written report of active investigations per investigator as of August 28, 2013 was accepted, as information, on the Consent Agenda.

5. Legal Nurse Consultant Report

A written report on the number of open cases assigned to each legal nurse consultant as of August 30, 2013 was accepted, as information, on the Consent Agenda.

6. Probation Monitoring

A written report on the number of nurses monitored on probation, the number of outstanding probation violations, the number of nurses released from probation, and the number of cases resulting in revocation by Board Order as of August 29, 2013 was accepted, as information, on the Consent Agenda.

VII. STRATEGIC PLANNING

A. 2009-2013 Strategic Plan Update

The 2009-2013 Strategic Plan Update was accepted on the Consent Agenda.

VIII. ADVANCED PRACTICE

A. Roster of Collaborative Practice Applicants

Ms. Cotton reported that the Joint Committee met on September 17, 2013 to review the applications for collaboration with Alabama physicians as listed in the published roster.

The following corrections were made to the roster: (1) #217, Leia Hunt, 1-115085 and Dr. Clancy Johnson, 27235, delete laser protocols, sclerotherapy; shave/cautery of superficial lesion with biopsy; and (2) #227, Kristen Waddell, 1-112823, and Dr. Margaret Winkler, 17821, add intravenous iron.

The Committee recommended deferring action pending payment of physician fee to BME for the following: (1) #35 Hayley Kenndey, 1-118592, and Dr. Julian Mahaganasan, 24516; and (2) #148, Elizabeth Eure, 1-114235, and Dr. David Wilson, 26067.

The Board of Medical Examiners met on September 19, 2013 and accepted the Committee's recommendations.

**On September 19, Dr. Wright moved that the Board accept the recommendations from the Joint Committee and approve the applicants for collaborative practice listed in the published roster. Dr. Dearman seconded. Motion carried without objection.**

B. Appointment of CRNP to Joint Committee

Ms. Cotton reported that the Nurse Practice Act defines the membership and functions of the Joint Committee for Advanced Practice Nursing. Members are appointed to three-year terms, and may be reappointed for one additional term. The Board of Nursing appoints the nurse members, and the Board of Medical Examiners appoints the physician members.

The nurse members must include at least one CRNP in collaborative practice and one CNM in collaborative practice. The third position requires a Registered Nurse, but does not require the RN to be in collaborative practice as a CRNP or CNM. The open position on the Joint Committee is the term through September 30, 2013, currently filled by Board Vice-President Carol Stewart, CRNP. Ms. Stewart is eligible for re-appointment.

Ms. Stewart was appointed to the Joint Committee in October 2011 to fill the incomplete term of the previous CRNP member. She resides in Montgomery, is certified as Family Nurse Practitioner and practices at Auburn University – Montgomery Student Health Service and Baptist Medical Centers.

**On September 19, Ms. Price moved that the Board re-appoint Board member Carol Stewart, CRNP, to the Joint Committee for the term ending September 30, 2016. Dr. Wright seconded. Motion carried without objection.**

Ms. Cotton reported that Cynthia Messer, CNM, was elected Chair of the Joint Committee for FY 2014. Dr. Harrison and Dr. Nagroski were re-appointed to the Alabama Board of Medical Examiners.

IX. PRACTICE AND CONTINUING EDUCATION

A. Practice

1. Report

A written report on nursing practice was accepted, as

information, on the Consent Agenda.

B. Continuing Education

1. Report

A written report on Continuing Education Providers and the CE activities was accepted, as information, on the Consent Agenda.

X. EDUCATION

A. Report

A written report on nursing education was accepted, as information, on the Consent Agenda.

B. NCLEX Program Code Beta Testing

Dr. Dearman reported that NCSBN is moving from a five digit NCLEX program code to a ten digit program code due to the number of nursing programs. Jolene Reardon, NCSBN staff member, asked if ABN would serve as a Juris Board File Transfer Pilot Test Site. The pilot test will start at the beginning of 2014 and will be ready by October 1, 2014.

Ms. Lee reported that ABN can participate in a test environment but not live.

**On September 19, Dr. Dearman moved that the Board function as a Juris Board to assist NCSBN in pilot testing the ten digit program codes. Dr. Parker seconded. Motion carried without objection.**

XI. BOARD TRAVEL

A. Citizens Advocacy Center 2013 Annual Meeting, Seattle, WA – October 29-30, 2013

No one requested to attend.

B. NCLEX Regional Conference, October 11, 2013, Sheraton - Birmingham

Ms. LaRue and Ms. Price were approved to attend.

XII. DISCIPLINARY CASES

**On September 20, Ms. Price moved that the Board enter into Executive Session to discuss the general reputation and character, professional competence, and physical or mental conditions of specific applicants and licensees. Mr. Howard seconded. Motion carried without objection.**

Ms. Stewart reported that the Board would reconvene in open session at approximately 9:30 a.m.

The Board reconvened in open session at 8:36 a.m. and voted on the Consent Orders.

A. Consent Orders

1. Calvert, Kevin Eugene – LPN, 2-061250

Mr. Calvert signed a Consent Order that would place his LPN license on probation for a period of twelve months, with illegal illicit drug-use stipulations, require him to successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$300.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

2. Fields, Tiffany Sanquita – RN, 1-103470; LPN, 2-052407 (Lapsed)

Ms. Fields signed a Consent Order that would place her RN license on probation for a period to run concurrent with her court-ordered probation but not less than twelve months, with illegal/illicit drug-use stipulations, require her successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$600.00.

**On September 20, Mr. Howard moved that the Board**

**accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

3. Kersh, Willie Byron – LPN, 2-040096 (Lapsed)

Mr. Kersh signed a Consent Order that would approve his reinstatement of a lapsed license application and place his LPN license on probation until his court-ordered restitution is paid, require him to successfully complete a Board-approved educational course on professional accountability and pay a fine in the amount of \$300.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

4. Merrell (Bevard), Lisa Michelle – LPN, 2-053277

Ms. Merrell signed a Consent Order that would place her LPN license on probation for a period to run concurrent with her court-ordered probation but not less than twelve months, with practice-related stipulations, require her to successfully complete a Board-approved educational course on professional accountability, and pay a fine in the amount of \$300.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

5. Jackson, Nykeiliya Keinyunna – RN, 1-127830

Ms. Jackson signed a Consent Order that would suspend her RN license until such time as she provides evidence of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of a Board-approved educational course on professional accountability; (c) accrual of 3.05 continuing education contact hours not to be used for 2014 renewal; (d) accrual of requisite continuing education contact hours (18 hours to complete requirements of the 2011 renewal); and (e) receipt of the employer notification by the Board. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On September 20, Dr. Parker moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

6. Williams, Nicole Antrell – RN, 1-101064; LPN, 2-045794 (Lapsed)

Ms. Williams signed a Consent Order that would place her RN license on probation until such time as she provides evidence of payment of a fine in the amount of \$500.00, and successful completion of a Board-approved educational course on professional accountability. Should Ms. Williams attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

**On September 20, Dr. Parker moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

7. Burton, Mary Jean – LPN, 2-032426

Ms. Burton signed a Consent Order that would suspend her LPN license until such time as she provides evidence of: (a) payment of a fine in the amount of \$1,500.00; (b) successful completion of Board-approved educational courses on professional accountability and critical thinking. Upon reinstatement, Ms. Burton's license will be placed on probation for a period of twelve months, with practice-related stipulations. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

8. Moore, Laurence Kelly – RN, 1-108602 (Active/Probation)

Mr. Moore signed a Consent Order that would terminate his March 22, 2013 Order upon the Board's acceptance of this instant Order that would place his RN license on probation for a period to run concurrent with his court-ordered probation, but not less than twelve months, require him to successfully complete a Board-approved educational course on communication, and pay a fine in the amount of \$500.00.

**On September 20, Dr. Parker moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

9. Sandy, Andrea Elma – RN, 1-106699 (Active/Probation)

Ms. Sandy signed a Consent Order that would terminate her September 21, 2012 Order upon the Board's acceptance of this instant Order that would place her RN license on probation for a period of twelve months, with practice-related stipulations, require her to successfully complete a Board-approved educational course on stress management, and pay a fine in the amount of \$500.00.

**On September 20, Dr. Parker moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

10. Clifton, Regina Ranae – RN, 1-110737 (Lapsed)

Ms. Clifton signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; (g) and payment of appropriate fees. Upon reinstatement, Ms. Clifton's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**



11. Floyd, Joyce Demetria – RN, 1-132193

Ms. Floyd signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$300.00.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

12. Fort, Paula Ellen – LPN, 2-053213

Ms. Fort signed a Consent Order that would place her LPN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$300.00.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

13. McCutchen, Rachel E. – RN, 1-134501

Ms. McCutchen signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; (g) and payment of appropriate fees. Upon reinstatement, Ms. McCutchen's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On September 20, Ms. LaRue moved that the Board**

**accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

14. Morris, Lesa Kay – RN, 1-054979

Ms. Morris signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$300.00.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

15. Pardon, Katie Lynn – RN, 1-105040

Ms. Pardon signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; (g) and payment of appropriate fees. Should Ms. Pardon be deemed in need of treatment, her license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. Pardon's license will be reinstated on probation for a period of twelve months, with illegal/illicit drug-use stipulations, she will be required to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$500.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

16. Smith, Teresa Anne – RN, 1-047666; LPN, 2-026242 (Lapsed)

Ms. Smith signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$300.00. Should Ms. Smith attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

17. Stedham, Heather Lynn – RN, 1-096747

Ms. Stedham signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$300.00.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

18. Summersell, Steven Kennedy – RN, 1-128670 (Lapsed)

Mr. Summersell signed a Consent Order that would suspend his RN license until such time as the Board is in receipt of satisfactory documentation of: until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; (g) payment of appropriate fees; and (h) submission of a completed application for reinstatement of a lapsed license. Upon reinstatement, Mr. Summersell's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and he will be required to pay a

fine in the amount of \$1,600.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, his license status will be considered as and listed as revoked.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

19. Trice III, Peter Alba – RN, 1-085011; LPN, 2-044392 (Lapsed)

Mr. Trice signed a Consent Order that would suspend his RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; (g) and payment of appropriate fees. Upon reinstatement, Mr. Trice's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and he will be required to pay a fine in the amount of \$1,300.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, his license status will be considered as and listed as revoked. Should Mr. Trice attempt to renew his LPN license, it too, would be subject to the same terms and conditions.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

20. Zeigler, Amanda Britany – RN, 1-111846

Ms. Zeigler signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare

program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; (g) and payment of appropriate fees. Upon reinstatement, Ms. Zeigler's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,300.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

21. Blackmon, Stacy Rebecca West – RN, 1-109659

Ms. Blackmon signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of Board-approved educational courses on professional accountability and critical thinking; and (c) the employer notification has been received by the Board.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

22. Burdette, Felisha Dawn – LPN, 2-054261

Ms. Burdette signed a Consent Order that would place her LPN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of Board-approved educational courses on ethics of nursing practice and medication safety; and (c) the employer notification has been received by the Board.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

23. Carnes, C. Lynn – RN, 1-025010

Ms. Carnes signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00.; (b) successful completion of Board-approved educational courses on documentation and professional accountability; and (c) the employer notification has been received by the Board.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

24. Meadows, Kelli Carpenter – LPN, 2-055297

Ms. Meadows signed a Consent Order that would place her LPN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of Board-approved educational courses on ethics of nursing and medication safety and (c) the employer notification has been received by the Board.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

25. Miller, Charlotte Fran – LPN, 2-057151

Ms. Miller signed a Consent Order that would place her LPN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of Board-approved educational courses on ethics of nursing practice and documentation; and (c) the employer notification has been received by the Board.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

26. Miller, Tonya Ann – RN, 1-112684; LPN, 2-046462 (Lapsed)

Ms. Miller signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00;

(b) successful completion of Board-approved educational courses on professional accountability and legal/ethical aspects of nursing; and (c) the employer notification has been received by the Board. Should Ms. Miller attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

27. Pharr, Jessica Leigh – RN, 1-101617

Ms. Pharr signed a Consent Order that would place her RN license on probation for a period of twelve months, with practice-related stipulations, require her to successfully complete a Board-approved educational course on documentation, and pay a fine in the amount of \$300.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

28. Ramer, Debra Sue Jackson – RN, 1-129010

Ms. Ramer signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$300.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

29. Watson, Andrea Brook – RN, 1-0792994; LPN, 2-036447 (Lapsed)

Ms. Watson was deleted from the agenda.

30. Watson, Dana Elizabeth – LPN, 2-062821

Ms. Watson signed a Consent Order that would place her LPN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of a Board-approved educational

course on professional accountability; and (c) the employer notification has been received by the Board.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

31. Whatley, Regina Hawsey – RN, 1-096011

Ms. Whatley signed a Consent Order that would place her RN license on probation for a period of twelve months, with practice-related stipulations, require her to successfully complete Board-approved educational courses on ethics of nursing practice and documentation, and pay a fine in the amount of \$500.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.**

32. Campbell, Stephen Wayne – RN, 1-099746

Mr. Campbell signed a Consent Order that would place his RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require him to successfully complete Board-approved educational courses on chemical dependency, professional accountability and ethics of nursing, and pay a fine in the amount of \$600.00.

**On September 20, Ms. Hopkins moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

33. Gordon, David Thomas – RN, 1-134719

Mr. Gordon signed a Consent Order that would place his RN on probation for a period until such time as he provides evidence of (a) payment of a fine in the amount of \$300.00; (b) successful completion of a Board-approved educational course on ethics of nursing practice; and (c) the employer notification has been received by the Board.

**On September 20, Ms. Hopkins moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**



34. McDonald, Melissa Leah – RN, 1-116733

Ms. McDonald signed a Consent Order that would suspend her RN license until such time as she provides evidence of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of Board-approved educational courses on professional accountability and patient privacy; and (c) the employer notification has been received by the Board. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On September 20, Ms. Hopkins moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

35. McSpadden, Rebecca Williams – RN, 1-098835

Ms. McSpadden signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of a Board-approved educational course on professional accountability; and (c) the employer notification has been received by the Board.

**On September 20, Ms. Hopkins moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

36. Alexander, Erica Alisha – RN, 1-121950

Ms. Alexander signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$300.00.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.**

37. Cobb, Nikima Levetta – LPN, 2-052244

Ms. Cobb signed a Consent Order that would issue her a

public reprimand and require her to pay a fine in the amount of \$1,200.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Dr. Parker seconded. Motion carried without objection.**

38. Covington, Stephanie Lynn – RN, 1-126938

Ms. Covington signed a Consent Order that would issue her a public reprimand.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Dr. Parker seconded. Motion carried without objection.**

39. Lay, Tiffany Danielle – RN Exam Applicant

Ms. Lay signed a Consent Order that would allow her to take the NCLEX-RN®, and if successful, would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Dr. Parker seconded. Motion carried without objection.**

40. Odom, Nettie Jo – RN, 1-129789 (Lapsed)

Ms. Odom signed a Consent Order that would approve her reinstatement of a lapsed license application and issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Dr. Parker seconded. Motion carried without objection.**

41. Phurrough, Amber Dawn – RN, 1-110589

Ms. Phurrough signed a Consent Order that would issue her a public reprimand.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Dr. Parker seconded. Motion carried without objection.**

42. Locke, Arlene Toy – RN, 1-124801

Ms. Locke signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

43. Stevens, Shannon Lee – RN, 1-078265

Ms. Hebert signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

44. Carter, Charles Armand – RN, 1-104508

Mr. Carter signed a Consent Order that would issue him a public reprimand and require him to pay a fine in the amount of \$300.00.

**On September 20, Dr. Dearman moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

45. Hegler, Monica Latrese – LPN, 2-062629

Ms. Hegler signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On September 20, Dr. Dearman moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

46. Jones, Kimberly Lynn – LPN, 2-042871

Ms. Jones signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On September 20, Dr. Dearman moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

47. Malone, Sonya Marketa – LPN, 2-043920

Ms. Malone signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$900.00.

**On September 20, Dr. Dearman moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

48. Thomas, Keri Michelle – RN, 1-118626

Ms. Thomas signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On September 20, Dr. Dearman moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

49. Henderson, Candace Marie – RN, 1-126894

Ms. Henderson signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$600.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.**

50. Wittig, Patricia Jett – RN, 1-033136

Ms. Wittig signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$1,000.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.**

51. Younge, Sonya Jade – RN, 1-033136

Ms. Younge signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$600.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.**

52. Baxter, Joyce Darlene – LPN, 2-030502

Ms. Ridgeway signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$500.00.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

53. Blackmon, Carrey Nell – LPN, 2-052651

Ms. Blackmon signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$500.00.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

54. Nelson, Patricia Howell – RN, 1-045031; CRNP; 2-015869 (Lapsed)

Ms. Nelson signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$500.00.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

55. Wright, Roydale – RN Exam Applicant

Mr. Roydale signed a Consent Order that would allow him to

take the NCLEX-RN®, and if successful, issue him a public reprimand and require him to pay a fine in the amount of \$300.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.**

56. Beck, Richard Carl – RN, 1-066212

Mr. Beck signed a Consent Order that would issue him a public reprimand and require him to pay a fine in the amount of \$500.00.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

57. Hall, Sandra Denise – RN, 1-092040; LPN, 2-035623 (Lapsed)

Ms. Hall signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$500.00.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

58. Morrison, Janis Marie – LPN, 2-041747

Ms. Morrison signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On September 20, Ms. LaRue moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

59. Venerable, Sherry Lynn – RN, 1-077329

Ms. Venerable signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$500.00.

**On September 20, Ms. LaRue moved that the Board**

**accept the Consent Order. Mr. Howard seconded. Motion carried without objection.**

**B. Reinstatement: Consent Orders**

**1. Butler, Freda Michelle – RN, 1-078092**

Ms. Butler signed a Consent Order that would approve her reinstatement of a revoked license application and place her RN license on probation for a period of twelve months, with practice-related stipulations, require her to successfully complete Board-approved educational course on professional accountability, and pay a fine in the amount of \$300.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

**2. Collier, Kelli Rae – RN, 1-075941**

Ms. Collier signed a Consent Order that would approve her reinstatement of a revoked license application and place her RN license on probation for a period sixty months, with chemical dependency stipulations, require her to successfully complete Board-approved educational courses on professional accountability and chemical dependency, and pay a fine in the amount of \$1,000.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

**3. Layton, Onna Sha – LPN, 2-044525**

Ms. Layton signed a Consent Order that would approve her reinstatement of a revoked license application and place her LPN license on probation for a period of sixty months, with chemical dependency stipulations, require her to successfully complete Board-approved educational courses on professional accountability and the ABN Mandatory Course, and pay a fine in the amount of \$1,300.00.

**On September 20, Mr. Howard moved that the Board accept the Consent Order. Ms. LaRue seconded. Motion carried without objection.**

C. Formal Hearings

**On September 20, Dr. Parker moved that the Board enter into Executive Session in its capacity as a quasi-judicial body to deliberate and discuss evidence and testimony presented during contested case hearings and vote on the outcomes. Ms. Hopkins seconded. Motion carried without objection.**

Ms. Stewart reported that the Board would reconvene in open session at approximately 9:15 a.m.

The Board returned to open session at 8:46 a.m.

1. Andry, Melissa Arlecia – RN, 1-124535

**On September 20, Ms. Price moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and suspend Ms. Andry's RN license for six months. Upon reinstatement, Ms. Andry's license will be placed on probation for a period of six months and she will be required to pay a fine in the amount of \$500.00. Mr. Howard seconded. Motion carried without objection.**

2. Banks, Viola Helen – RN, 1-107556

**On September 20, Ms. LaRue moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Banks' RN license. Mr. Howard seconded. Motion carried without objection.**

3. Bennett, Angelique Helen – LPN, 2-054134 (Lapsed)

**On September 20, Ms. Price moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Bennett's LPN license. Ms. LaRue seconded. Motion carried without objection.**

4. Bidner, Jennifer Rachel – RN, 1-094095 (Lapsed)

**On September 20, Dr. Parker moved that the Board accept the Findings of Fact, Conclusions of Law, and**



**the Recommendation of the Hearing Officer, and revoke Ms. Bidner's RN license. Ms. LaRue seconded. Motion carried without objection.**

5. Clark, Krista Lee Bell – RN, 1-097028 (Lapsed)

**On September 20, Ms. Price moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and approve Ms. Clark's reinstatement of a lapsed license application and place her RN license on probation for a period of sixty months, with chemical dependency stipulations, and require her to pay a fine in the amount of \$1,000.00. Ms. LaRue seconded. Motion carried without objection.**

6. Darty, Amanda Elaine – RN, 1-096562 (Lapsed)

**On September 20, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and revoke Ms. Darty's RN license. Dr. Dearman seconded. Motion carried without objection.**

7. Decker, Renee Michelle – RN, 1-105011 (Lapsed)

**On September 20, Ms. Price moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and revoke Ms. Decker's RN license. Dr. Autrey seconded. Motion carried without objection.**

8. Dubose, Maurine Faye Matthews – LPN, 2-038162 (Lapsed)

**On September 20, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and revoke Ms. Dubose's LPN license. Ms. LaRue seconded. Motion carried without objection.**

9. Maduka, Chimezie Charles – RN, 1-121604

**On September 20, Ms. LaRue moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and revoke**

**Mr. Maduka's RN license. Mr. Howard seconded. Motion carried without objection.**

10. Mayers, Angela L. – RN, 1-084682 (Lapsed)

**On September 20, Dr. Parker moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and revoke Ms. Mayers' RN license. Mr. Howard seconded. Motion carried without objection.**

11. Reed, Donisher – LPN, 2-051460 (Lapsed)

**On September 20, Ms. Hopkins moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and approve Ms. Donisher's reinstatement of a lapsed license application, issue her a public reprimand and require her to pay a fine in the amount of \$300.00. Ms. Price seconded. Motion carried without objection.**

12. Tracy, Bridget Lynn – RN, 1-084921 (Lapsed); CRNA (Lapsed)

**On September 20, Ms. LaRue moved that the Board accept the Findings of Fact, Conclusions of Law and the Recommendation of the Hearing Officer and revoke Ms. Tracy's RN license. Mr. Howard seconded. Motion carried without objection.**

13. Trowbridge, Lori Anne – RN, 1-114604 (Lapsed)

**On September 20, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and revoke Ms. Trowbridge's RN license. Ms. LaRue seconded. Motion carried without objection.**

14. Walters, Lashonda Marie – LPN, 2-037782 (Lapsed)

**On September 20, Ms. LaRue moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and revoke Ms. Walters' LPN license. Mr. Howard seconded. Motion carried without objection.**

15. Williams, Cristina Jean Courter – RN, 1-121293 (Lapsed)

**On September 20, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and revoke Ms. Williams' RN license. Dr. Dearman seconded. Motion carried without objection.**

D. Reinstatements – Formal Hearings

There were no reinstatements – Formal Hearings.

XIII. POLICY

A. ABN Administrative Code, Rule 610-X-4-.14, Fees

Dr. Lavender reported that the Board reviews the fee schedule at each September meeting and either reaffirms the same fee schedule or amends as needed. The staff reviewed the fee schedule and proposes an increase in the reinstatement of revoked license fee from \$500.00 to \$750.00. The rationale for increasing the fee is that now that we have LMS, we can change a license status from revoked to active once a reinstatement of a revoked license is approved. In our previous licensing database, we could not go from revoked to active but had to go from revoked to lapsed. The applicant then applied to reinstate a lapsed license. So the applicant paid the \$500 reinstatement of revoked license fee and then subsequently paid the \$225 fee to reinstate a lapsed license.

A copy of the proposed fee schedule was provided for the Board's review.

Dr. Dearman reported that the Education Committee discussed adding a fee for nursing education programs that do not sufficiently complete the Nursing Education Annual Report and for failure to comply with a request to provide complete data.

Ms. Lee asked the Board to think about imposing fees due to the economic status of the state. Ms. Lee reported that the Board can issue a Notice of Deficiency for late submission or failure to comply.

**On September 19, Dr. Wright moved that the Board approve the proposed fee schedule as presented. Ms. Price seconded. Motion carried without objection.**

#### XIV. STRATEGIC PLANNING

Facilitators from Troy University, Rex Snider and Dan Tennimon, conducted a power point presentation and provided feedback on the Board's strategic plan. Mr. Snider and Mr. Tennimon requested that the Board send them a copy of the final Strategic Plan.

The Board reviewed each section of the strategic plan and made minor changes.

**On September 19, Dr. Wright moved that the Board approve the Strategic Plan for FY 2014 – 2018, as amended. Ms. LaRue seconded. Motion carried without objection.**

#### XV. OTHER

##### A. Petition for Declaratory Ruling: Alanda Diane Woods Green, 2-053412

Ms. Henley reported that Alanda Diane Woods Green sent a request for a Declaratory Ruling asking to be exempted from compliance with the Board's law and rules governing reinstatement of a revoked license based on her lack of knowledge of the revocation of her license by Order of the Board.

On or about July 24, 2012 Ms. Green signed a proposed Consent Order for consideration by the Board. The Board reviewed the Consent Order at the September 21, 2012 meeting. It was determined that Ms. Green's license number was inaccurate in the style of the case on the Consent Order; thus, the Board voted to approve the proposed Consent Order contingent upon Ms. Green agreeing to correct the license number on the Order. Board staff made multiple attempts to contact Ms. Green to obtain her consent to correction of the license number. The Board records reflect no response from Ms. Green.

On or about October 23, 2012 the Board issued a Statement of Charges and Notice of Hearing to Ms. Green at her address of record with the Board. The Board sent charges by certified mail, regular mail, and forwarded the charges to the county sheriff for service. The certified mail and regular mail were both returned to the Board marked: "return to sender, attempted not known, unable to forward". At all times relevant to this case, Ms. Green's address on record with the Board remained the same. A hearing was held on November 28, 2012. Following the hearing, the Hearing Officer recommended revocation of Ms. Green's license, and by Order of January 18, 2013, the Board

revoked Ms. Green's license. Certified mail service of the Order was returned to the Board as "attempted not known", with an attempted service date on or about January 22, 2013.

In her petition, Ms. Green asserts that she was unaware of the email and did not respond. She further asserts that she relocated in September 2012 and failed to provide a change of address to the Board, although she asserts that she did provide a change of address to the United States Postal Service. She maintains that she did not receive any forwarded certified mail from the ABN regarding the Consent Order.

Ms. Henley reported that the appeal time is up.

A copy of the request for declaratory ruling and the September 21, 2012 Board Order was provided for the Board's information and review.

The Board reviewed and discussed the information provided.

**On September 19, Dr. Wright moved that the Board deny Ms. Green's request to be exempted from the Board's requirements for reinstatement of a revoked license. Ms. Price seconded. Motion carried without objection.**

**B. Petition for Declaratory Ruling: Amy Pfeil Neimkin, DNP, MBA, CRNA, 1-044084**

Dr. Autrey and Dr. Wright recused themselves from the discussion and vote concerning this Petition for Declaratory Ruling.

Ms. Henley reported that on September 17, 2013, the Board received a Petition for Declaratory Ruling from Amy Pfeil Neimkin, CRNA, asking whether Section 22-21-9(a) of the Code of Alabama is sufficient to inform the public and promote patient safety, and requests that the Board issue a declaratory ruling with respect to its validity for advanced practice nurses.

Ms. Neimkin writes that University Hospital System in Birmingham has decided that all nurses, regardless of their advanced practice status, will have their first name in large letters in the middle of their identification badge, followed by "RN". Below this identification, in a much smaller, will be the job title (CRNA, CRNP, etc). Above will be the full name and any credentials. Ms. Neimkin asserts that this name badge format will misrepresent her education, training, and scope of

practice, and potentially mislead and confuse the public and implicate patient safety concerns.

A copy of the request for declaratory ruling was provided for the Board's information and review.

**On September 19, Dr. Parker moved that the Board deny the request for declaratory ruling due to lack of jurisdiction. Mr. Howard seconded. Motion carried without objection.**

**C. Mental Health Nurse Delegation Program**

Dr. Lavender reported that she had someone contact her with concerns about Mental Health Residential Community Program rules. Nursing care plans were being evaluated by the Alabama Department of Mental Health (ADMH) with no nurses involved. The nursing care plans have been rejected by non-nurses. Nurses were not on the certification team. Ms. Lee mentioned this to Dr. Stone and they hired a nurse to be a part of the certification team.

Dr. Lavender reported that after informing the complainant that ADMH hired a nurse for the certification team, she received another email from that individual with the following concerns: an RN employed by ADMH could be a conflict of interest and loss of jobs when delegation certification is withdrawn.

Ms. Lee reported that providers of services contract with the Department of Mental Health and are not employees of mental health. The providers hire nurses, not the Department of Mental Health.

Ms. Lee advised Dr. Lavender to invite the individual to a Board meeting to Open Forum.

- Dr. Lavender welcomed the students from Southern Union State Community College.
- Dr. Dearman asked for an update on Board meeting software and Board laptops. Ms. Lee reported that the IT staff is still looking at software.

**XVI. NEXT MEETING DATE**

October 17, 2013, RSA Plaza, 770 Washington Ave, Suite 350, Montgomery, AL

## XVII. BOARD MEETING DEBRIEFING

- Dr. Parker requested that the following personal statement be part of the official record: “The reporting of the EO evaluation conducted in the Board room yesterday was egregious on many levels. I believe the disgraceful comments should not have been read in an open session for students and our other guests to hear. I am simply appalled at our unprofessional, inappropriate approach and we demonstrated a total lack of regard for Genell as a person, much less as the Executive Officer of this Board. Maybe we should do as the CEO of Trinity Health Systems who asks potential employees if they first and foremost are caring and compassionate. The actions, collectively in this Board room, because we allowed this process to continue in spite of the nature of the comments, were devoid of caring, compassion and any semblance of professional conduct. I am guilty of not speaking up. I am ashamed for not having the professional fortitude to speak up and stop the process. I believe bullying took place in this Board room yesterday and while I cannot substantiate the comments, I did nothing to stop them from being shared in front of our guests. We are told as Board members that we express one voice as a Board. Well, that was not my voice and I am embarrassed and ashamed to be a part of a Board that would allow what happened in here yesterday to take place. Effective leadership is building relationships, each and every one of us failed.”
- Mr. Howard reported that he concurs with Dr. Parker and the Board needs to make it right. Every Board member should have seen the evaluation prior to it being presented to the EO not just the President. The evaluation should only be a numerical evaluation with no comments because the comments are unsubstantiated and unapproved by this Board.
- Ms. Hopkins reported that she is ashamed also and it made it look as if the whole Board was involved when they were not.
- Ms. LaRue reported that the comments were demeaning and inflammatory and should not be placed on an evaluation. The accusations did not have any evidence and if it were true the Board should act on it.
- Dr. Autrey reported that this is an example of one person having too much power. The process should have included the whole Board. The rest of the Board did not know that the comments were going to be read in public and the evaluation was not a reflection of this Board. The comments have never been read in open session.
- Ms. Price reported that Ms. Henley, General Counsel, advised the Board President that the Executive Officer evaluation had to be conducted in open session according to the Open Meetings Act.

- Dr. Dearman reported that the comments should not have been read in open session. Dr. Dearman reminded the Board that the new process was not in effect this year and should prevent this from happening again.
- Dr. Akers reported that the process broke down whether it was unintentional or intentional. Ms. Lee needs to know that the Board is aware of it and apologizes for that part.
- **On September 20, Dr. Autrey moved that since the Board did not vote on the evaluation, the Executive Committee meet with Ms. Lee, review the comment piece, leave the points as they are, and bring back to the full Board so the Board has an opportunity to vote. Dr. Dearman seconded.**  
After discussion, Dr. Autrey withdrew her motion.
- **On September 20, Dr. Autrey moved that the Board reject the Executive Officer evaluation that was given on September 19. Dr. Parker seconded.**  
After discussion, Dr. Autrey withdrew her motion.
- The Board discussed having the Executive Committee meet with Ms. Lee to let her know that the Board takes responsibility and accountability for how the evaluation was delivered, review the evaluation, come to some agreement, try to make amends and make a recommendation to the full Board.
- **On September 20, Ms. Price moved that the Executive Committee meet with Ms. Lee to discuss the evaluation, and bring back the results of that meeting with recommendations to the full Board. Ms. LaRue seconded. Motion carried without objection.**
- Dr. Dearman reported that the new process for the Executive Officer evaluation is in place for 2014.

Dr. Parker was not present from 9:23 to 9:24 a.m.

## XVIII. ADJOURNMENT

The meeting adjourned at 9:44 a.m. on September 20.

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Martha Lavender, President

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Melissa Bullard, Secretary

Submitted by: \_\_\_\_\_  
Recorder: Leslie Vinson  
09/19-20/2013